IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Tr.P(C).No. 15 of 2007

OP.1079/2005 of FAMILY COURT, ALAPPUZHA

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PETITIONER:

SANDHYA DEVI, AGED 35 YEARS,
D/O. SASIKUMARAN THAMBI, PANAYIL VEEDU,
KEEPPACHAKKONAM, IDUKKUMTHALA,
KONCHIRA P.O., VEMBAYAM, NEDUMANGADU.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENT:

R.RAMESH, AGED 45 YEARS, S/O. RAGHAVAN
PILLAI, KUZHAMOOLAYIL HOUSE, PARAVOOR,
PUNNAPRA P.O., AMBALAPUZHA TALUK.

BY ADV. DR.V.N.SANKARJEE
SRI.V.N.MADHUSUDANAN
SMT.R.UDAYA JYOTHI
SRI.C.P.PRADEEP

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007 ALONG WITH Tr.P.C.NO.66 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Tr.P.(C)Nos. 15 & 66 of 2007

COMMON ORDER

These two transfer petitions are filed respectively by the wife and the husband. The wife seeks for a transfer of O.P.No.1079/05 pending on the file of the Family Court, Alappuzha to the file of the Family Court, Nedumangadu, where O.P.No. 1092/06 and M.C.No.259/06 filed by her are pending. In the transfer petition filed by the husband, he seeks for an order transferring O.P.No.1092/06 and M.C.No.259/06 from the file of the Family Court, Nedumangadu to the Family Court, Alappuzha.

2. It is not in dispute that the husband is residing within the territorial limits of jurisdiction of the Family Court, Alappuzha and the wife is residing along with her family members, including her minor child, within the territorial limits of jurisdiction of the Family Court, Nedumangadu. It is submitted by the counsel for

the husband that in O.P.No.1079/05 the petitioner/ husband has filed an affidavit in evidence, as the said OP has become ripe for trial. That is no ground not to transfer that case to the file of the Family Court, Nedumangadu to the the convenience of the wife, who is residing within the territorial limits of jurisdiction of that Family Court. In the circumstances, I order that O.P.No.1079/05, pending before the Family Court, Alappuzha be transferred to the file of the Family Court, Nedumangadu.

In the result, Tr.P.(C)No.15/07 is allowed and Tr.P.(C)No.66/07 is dismissed.

16th March, 2007 (K.P.Balachandran, Judge)

tkv